



**US Army Corps  
of Engineers®**

Nashville District

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# Public Notice

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Public Notice No. 00-113

Date: December 5, 2000

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Application No. 200002156

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Please address all comments to:  
Nashville District Corps of Engineers, Regulatory Branch  
P.O. Box 1070, Nashville, TN 37202-1070

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**JOINT PUBLIC NOTICE  
US ARMY CORPS OF ENGINEERS  
TENNESSEE VALLEY AUTHORITY  
AND  
STATE OF TENNESSEE**

**SUBJECT:** Proposed Improvements to State Route 73 (US 321) Between Glades Road and Buckhorn Road, Sevier County, Tennessee

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 404 of the Clean Water Act (33 USC 1344)**. Before a permit can be issued for the placement of fill material below ordinary high water, certification must be provided by the State of Tennessee, Department of Environment and Conservation, pursuant to Section 401(a)(1) of the Clean Water Act, that applicable water quality standards will not be violated. The applicant hereby applies for the required certification.

**APPLICANT:** Tennessee Department of Transportation (TDOT)  
Suite 1200, James K. Polk Building  
Nashville, Tennessee 37243

**LOCATION:** Segment of SR-73 (US 321) from Glades Road to Buckhorn Road, in Gatlinburg, Sevier County, Tennessee, roughly paralleling Dudley Creek. Work is located in the Mount Le Conte, Tennessee, USGS Quad Map (165-NW).

**DESCRIPTION:** TDOT proposes to improve 2.65 miles of State Route 73 along existing alignment. The purpose of the proposed improvement is to provide a safer, more efficient highway for the citizens who live and work in the affected corridor, as well as the travelling public. Construction would add two 12' traffic lanes, one 12' turning lane, curb and gutter, a 9' greenway/bike trail, and other related structures and appurtenances. To accommodate these improvements, fill material associated with embankment construction, drainage structures, and channel relocations would be deposited in waters of the United States including wetlands. These activities are subject to DA authorization.

The proposed work would involve permanent and temporary wetland impacts at three locations totaling 0.05 acre and 0.07 acre, respectively. TDOT proposes to mitigate the permanent wetland impact by debiting 0.10 acre (2:1 ratio) from available wetland credits at the Shady Valley

Wetland Mitigation Bank. Temporary wetland impacts would be mitigated by returning the areas to their original elevations, seeding with perennial rye grass, and mulching. As mitigation for channel relocation and box culvert construction, TDOT proposes to plant trees as shown on the enclosed plans and employ best management practices to control erosion and sedimentation.

Locations where an individual DA permit would be necessary and associated impacts are as follows:

- **Site A (Sta. 10+546 to 10+770):** Dudley Creek Mile 3.5. Approximately 417' of existing channel would be relocated into 391' of new channel; 0.05 acre permanent wetland impact and 0.10 acre temporary wetland impact. Lat. 35.7267°/long 83.4628°.

- **Site B (Sta. 11+526 to 11+717):** Dudley Creek Mile 4.2. Approximately 627' of existing channel would be relocated into a new 610' long channel. Lat. 35.7294°/long. 83.4531°.

The applicant has requested that the Corps of Engineers verify that other project activities affecting Dudley Creek and tributaries meet the criteria for authorization under the Nationwide Permit Program [March 9, 2000, Federal Register (65 FR 12818)]. These locations are as follows:

- Sta. 10+320: Relocate 184' of existing channel into a new 164' long channel.

- Sta. 13+442: Extend a 1 @ 6'x6' box culvert by 32'.

- Sta. 13+556: Extend a 1 @ 8'x6' box culvert by 40'.

- Sta. 13+746: Extend a 1 @ 4'x3' box culvert by 63'.

- Sta. 14+175: Extend a 1 @ 8'x5' box culvert by 40'.

Plans of the proposed work are enclosed with this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service - Atlanta.

Based on available information, the proposed activity will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act; therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and local approvals required for the proposed work are as follows:

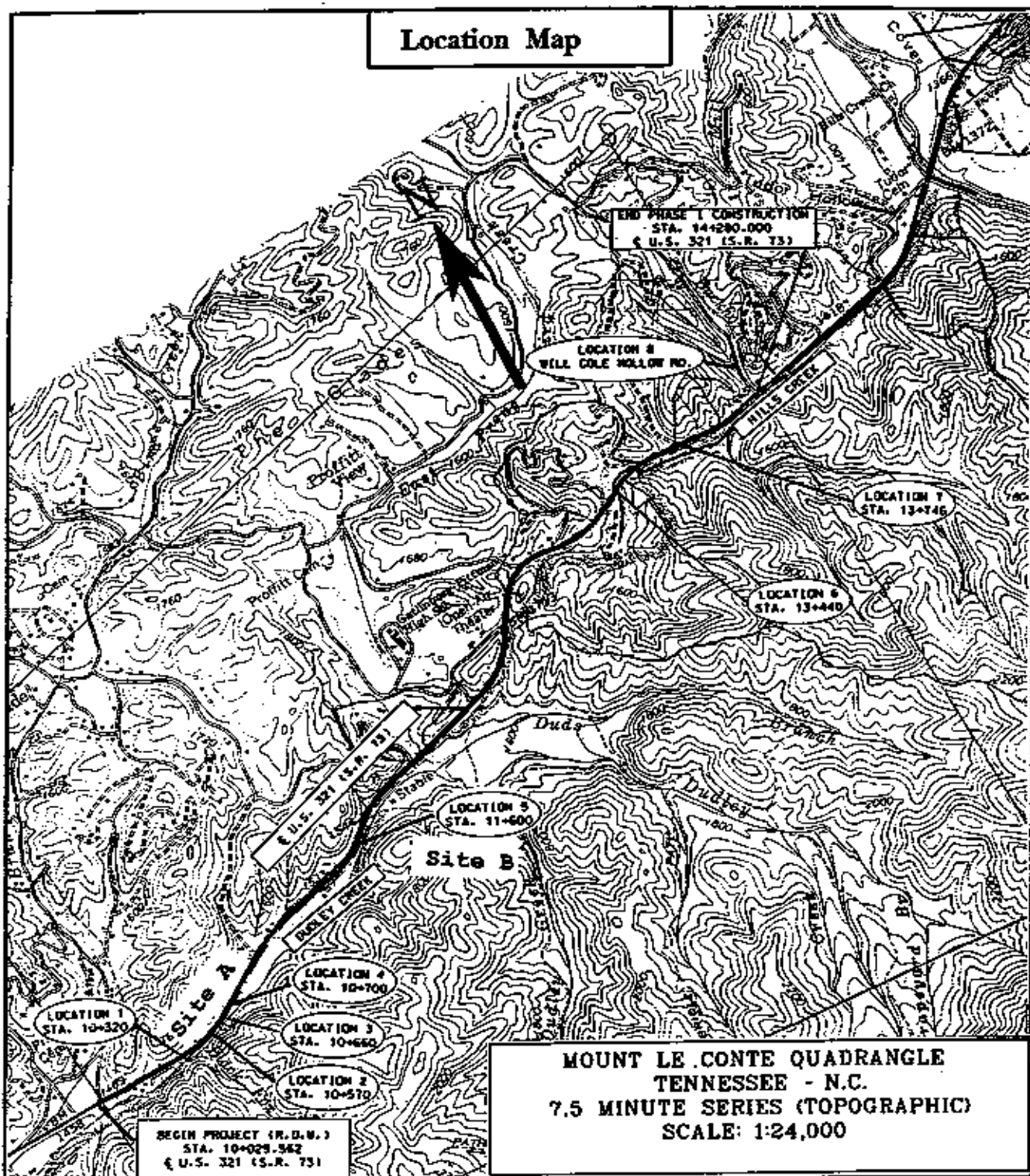
- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

- b. Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before January 4, 2001, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attn: Mr. J. Ruben Hernandez, at the above address, telephone (615) 736-5182, Fax (615) 736-7145. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Cherokee-Douglas Watershed Team, 2611 West Andrew Johnson Highway, Morristown, Tennessee 37814-3295.

# Location Map



SEVIER

**APPLICATION BY:**  
**TENNESSEE DEPARTMENT OF TRANSPORTATION**

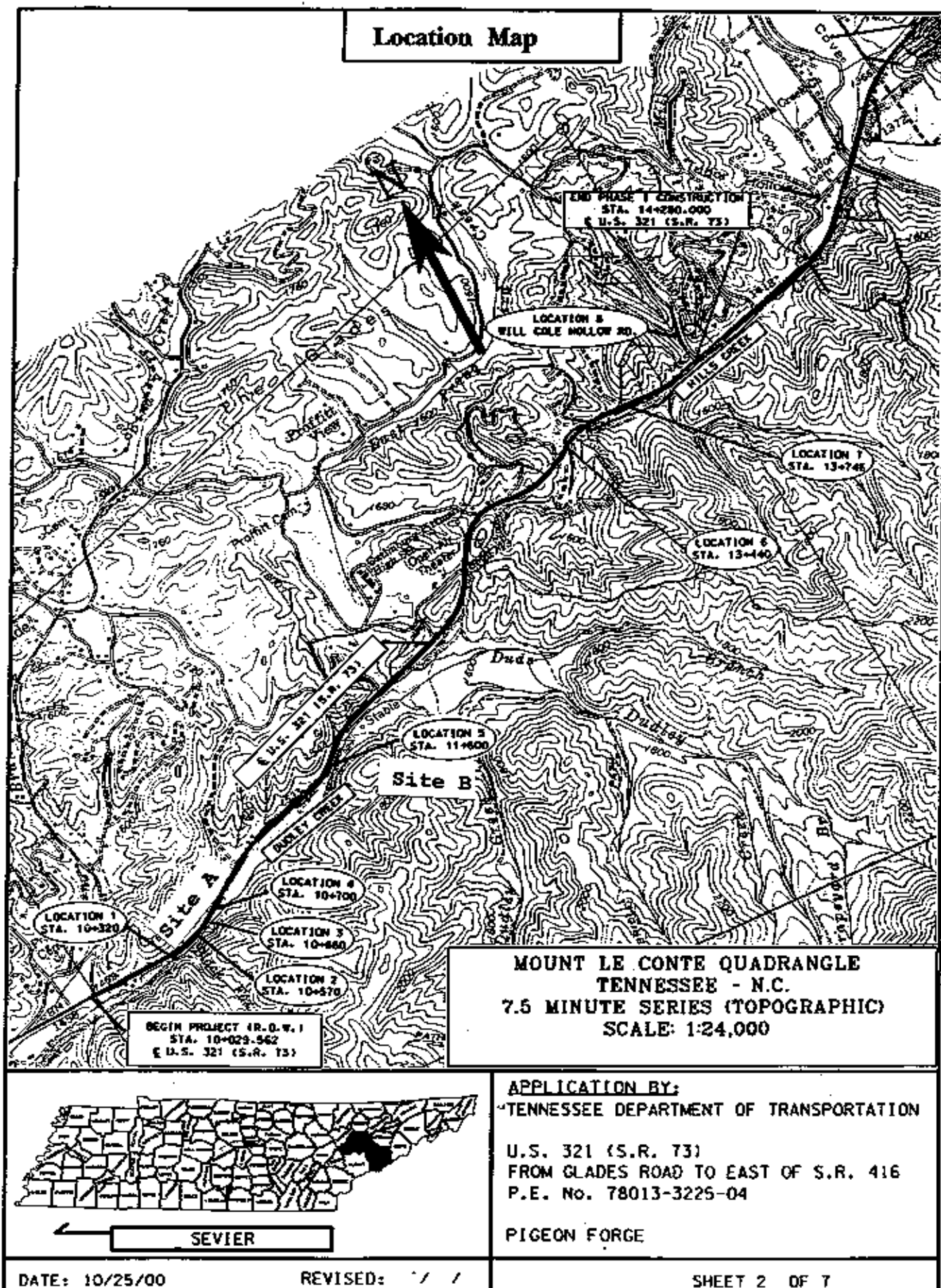
U.S. 321 (S.R. 73)  
FROM GLADES ROAD TO EAST OF S.R. 416  
P.E. No. 78013-3225-04

**PIGEON FORGE**

DATE: 10/25/00

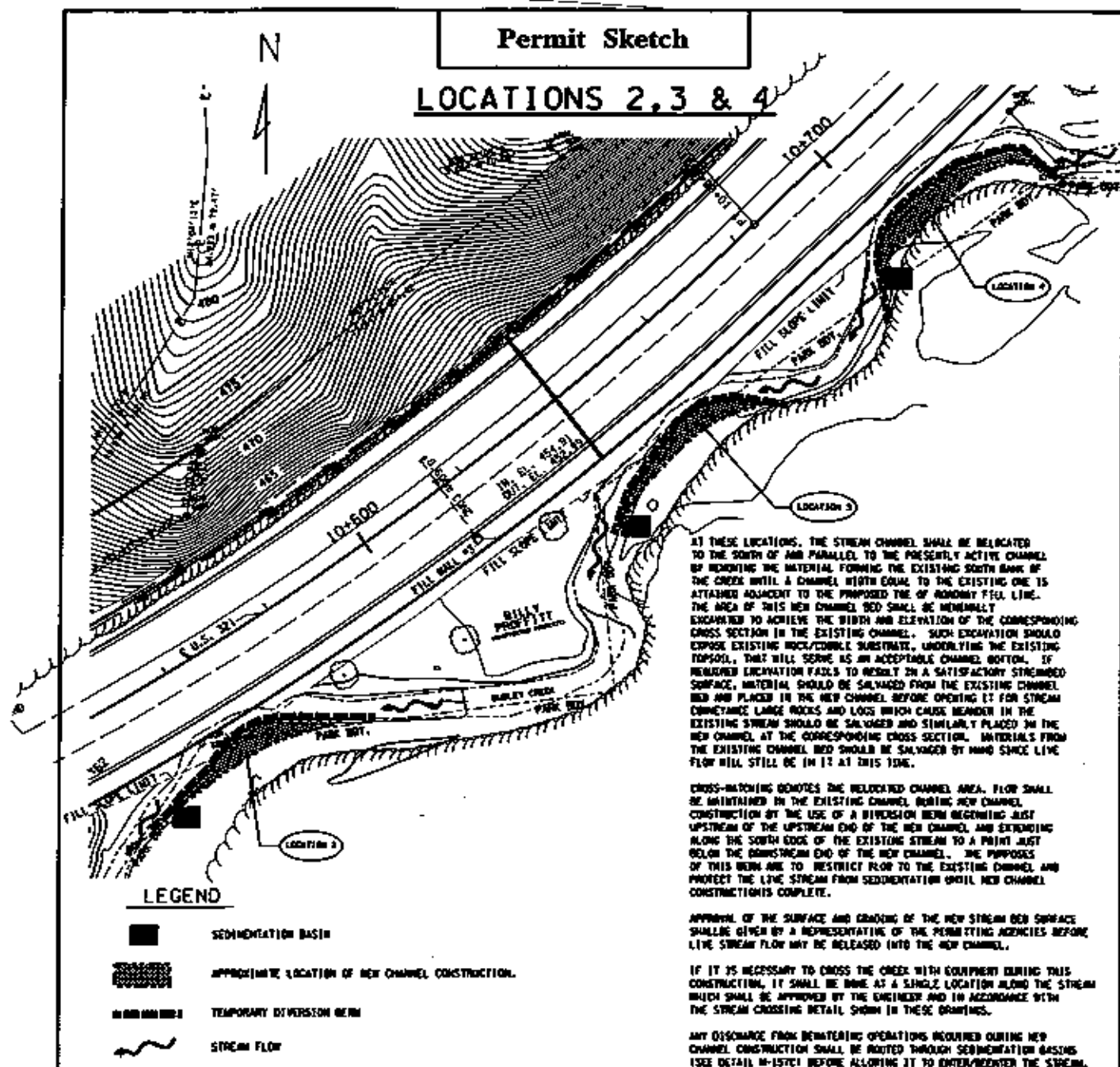
REVISED: / /

SHEET 2 OF 7



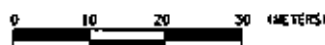
SITE A

Permit Sketch  
LOCATIONS 2, 3 & 4



PLAN VIEW  
DURING CHANNEL CONSTRUCTION

SCALE: 1:1000



ADJACENT PROPERTY OWNER	TRACT NO.	ADDRESS
NAT. PARK SERVICE	4	107 PARK HEADQUARTERS RD., GATLINBURG, TN 37738

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION  
CHANNEL CHANGES DUE TO  
LONGITUDINAL STREAM ENCROACHMENT

U.S. 321 (S.R. 73)  
PROJECT NO. 78013-1224-04  
FROM GLADES ROAD TO BUCKHORN RD.

GATLINBURG / PITTMAN CENTER

DATE: 10/25/00

REVISED: N/A




SHEET 1 OF 2

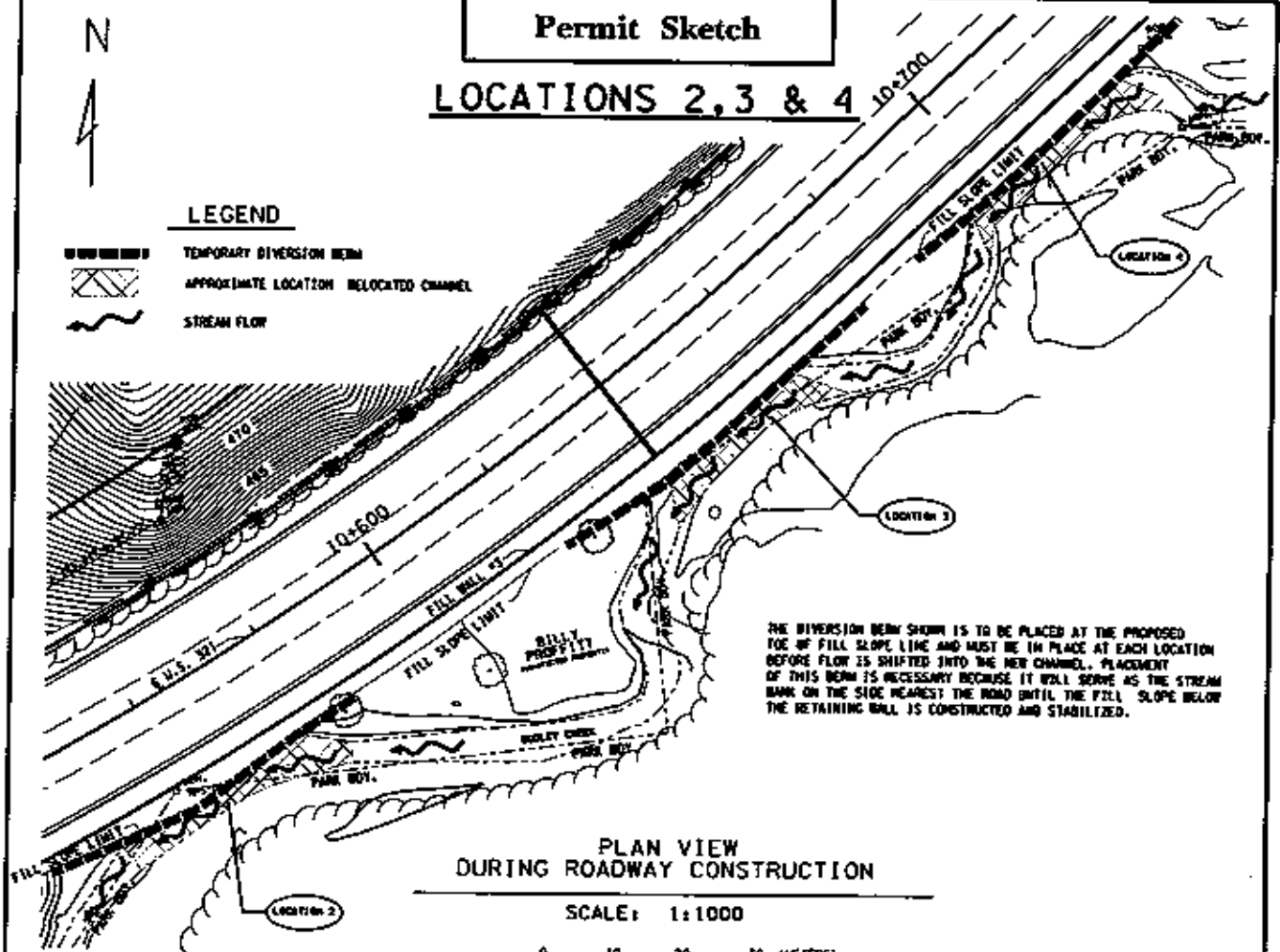
## SITE A

## Permit Sketch

## LOCATIONS 2, 3 &amp; 4

## LEGEND

-  TEMPORARY DIVERSION BERM  
 APPROXIMATE LOCATION RELOCATED CHANNEL  
 STREAM FLOW



DIVERSION BERM KEEPING  
LIVE STREAM FLOW ENCLOSED  
ON NEW CHANNEL CONSTRUCTION



CROSS SECTION- EACH LOCATION  
DURING CHANNEL CONSTRUCTION

(N.T.S.)

	STREAM LENGTH (M)	
	EXISTING	PROPOSED
LOCATION 2	42	40
LOCATION 3	40	38
LOCATION 4	45	41

TOE OF PROPOSED  
FILL SLOPE  
FILL WALL #2



CROSS SECTION- EACH LOCATION  
DURING ROADWAY CONSTRUCTION

(N.T.S.)

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TENNESSEE DEPARTMENT OF TRANSPORTATION

CHANNEL CHANGES DUE TO  
LONGITUDINAL STREAM ENCROACHMENT

U.S. 321 (S.R. 73)

GATLINBURG / PITTMAN CENTER

ADJACENT PROPERTY OWNER	TRACT NO.	ADDRESS
NAT. PARK SERVICE	4	107 PARK HEADQUARTERS RD., GATLINBURG, TN 37738

DATE: 10/25/00

REVISED: N/A

SHEET 2 OF 2



## SITE A

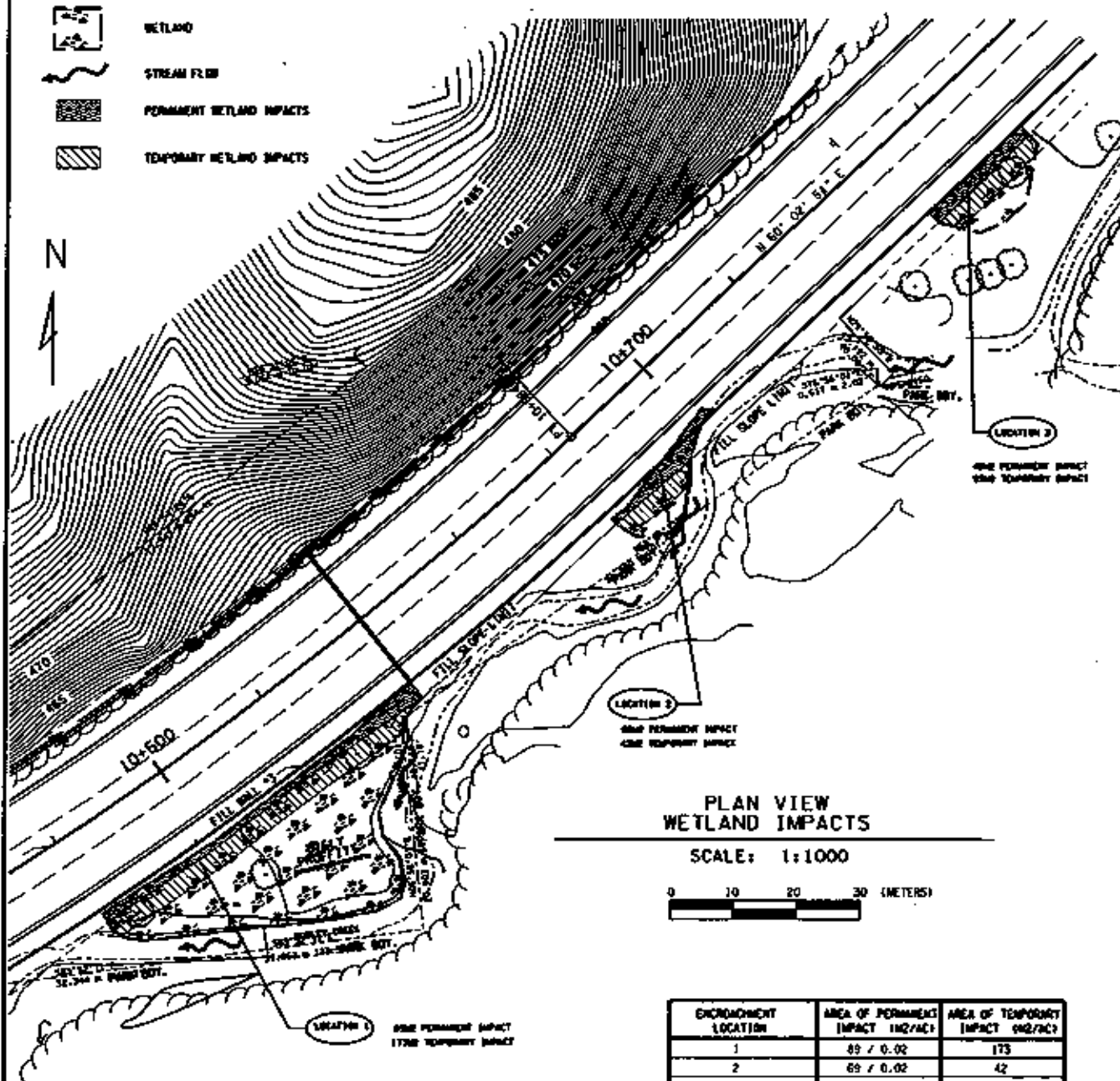
## Permit Sketch

## WETLANDS LOCATIONS 1, 2, &amp; 3

## LEGEND

-  WETLAND  
 STREAM FLOW  
 PERMANENT WETLAND IMPACTS  
 TEMPORARY WETLAND IMPACTS

N



Billy Proffitt  
P.O. Box 246  
Gatlinburg, TN 37738

ADJACENT PROPERTY OWNER	TRACT NO.	ADDRESS
NAT. PARK SERVICE	4	107 PARK HEADQUARTERS RD., GATLINBURG, TN 37738

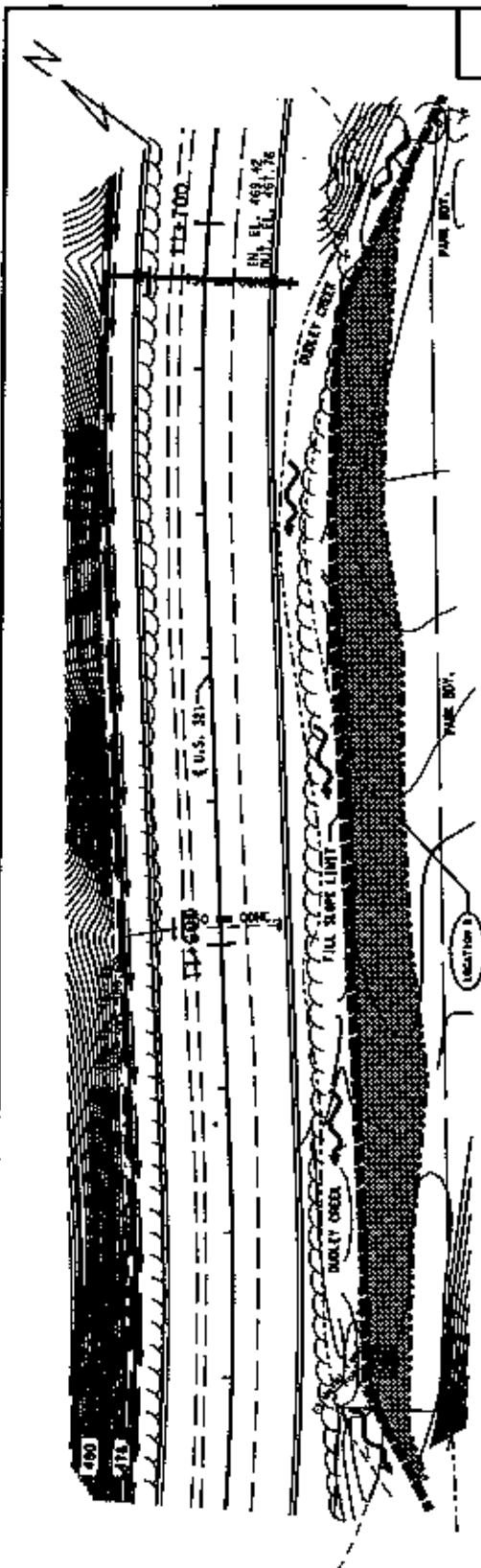
APPLICATION BY:  
TENNESSEE DEPARTMENT OF TRANSPORTATION  
CHANNEL CHANGES DUE TO  
LONGITUDINAL STREAM ENCROACHMENT  
U.S. 321 (S.R. 73)  
GATLINBURG / PITTMAN CENTER



## SITE B

## Permit Sketch

## LOCATION 5



PLAN VIEW - LOCATION 5

SCALE: 1:1000



## LEGEND

- SEDIMENTATION BASIN
- APPROXIMATE LOCATION OF NEW CHANNEL CONSTRUCTION
- TEMPORARY DIVERSION BERM
- STREAM FLOW

DIVERSION WITH SLIPING  
LINE CHANNEL FROM EXISTING  
TO NEW CHANNEL CONSTRUCTIONTYPICAL CROSS SECTION  
DURING CHANNEL CONSTRUCTION

16.1.5.1

PAGE NO.

AT THIS LOCATION, THE STREAM CHANNEL SHALL BE RELOCATED TO THE SOUTH OF AND PARALLEL TO THE PRESENTLY ACTIVE CHANNEL BY REMOVING THE MATERIAL FORMING THE EXISTING SOUTH BANK OF THE CREEK UNTIL A CHANNEL WIDTH EQUAL TO THE EXISTING ONE IS ATTAINED ADJACENT TO THE PROPOSED FILL OF ROADWAY FILL LINE. THE AREA OF THIS NEW CHANNEL BED SHALL BE MINIMALLY EXCAVATED TO ACHIEVE THE WIDTH AND ELEVATION OF THE CORRESPONDING CROSS SECTION IN THE EXISTING CHANNEL. SUCH EXCAVATION SHOULD EXPOSE EXISTING INCOMPATIBLE SUBSTRATE, UNDERLYING THE EXISTING TOPSOIL, THAT WILL SERVE AS AN ACCEPTABLE CHANNEL BOTTOM. IF REQUIRED EXCAVATION FAILS TO RESULT IN A SATISFACTORY STREAMBED SURFACE, MATERIAL SHOULD BE SALVAGED FROM THE EXISTING CHANNEL BED AND PLACED IN THE NEW CHANNEL BEFORE OPENING IT FOR STREAM CONVEYANCE. LARGE ROCKS AND LOGS WHICH CAUSE WEAR IN THE EXISTING STREAM SHOULD BE SALVAGED AND SIMILARLY PLACED IN THE NEW CHANNEL. AT THE CORRESPONDING CROSS SECTION, MATERIALS FROM THE EXISTING CHANNEL BED SHOULD BE SALVAGED BY HAND SINCE LINE FLOW WILL STILL BE IN IT AT THIS TIME.

CROSS-HATCHING DENOTES THE RELOCATED CHANNEL AREA. FLOW SHALL BE MAINTAINED IN THE EXISTING CHANNEL DURING NEW CHANNEL CONSTRUCTION BY THE USE OF A DIVERSION BERM BEGINNING JUST UPSTREAM OF THE UPSTREAM END OF THE NEW CHANNEL AND EXTENDING ALONG THE SOUTH SIDE OF THE EXISTING STREAM IN A POINT JUST BELOW THE DOWNSTREAM END OF THE NEW CHANNEL. THE PURPOSES OF THIS BERM ARE TO RESTRICT FLOW TO THE EXISTING CHANNEL AND PROTECT THE LIVE STREAM FROM SEDIMENTATION UNTIL NEW CHANNEL CONSTRUCTION IS COMPLETE.

APPROPRIATE OF THE SURFACE AND GRADING OF THE NEW STREAM BED SURFACE SHALL BE GIVEN BY A REPRESENTATIVE OF THE PERMITTING AGENCIES BEFORE LIVE STREAM FLOW MAY BE RELEASED INTO THE NEW CHANNEL.

IF IT IS NECESSARY TO CROSS THE CREEK WITH EQUIPMENT DURING THIS CONSTRUCTION, IT SHALL BE DONE AT A SINGLE LOCATION ALONG THE STREAM WHICH SHALL BE APPROVED BY THE ENGINEER AND CONSTRUCTED IN ACCORDANCE WITH THE STREAM CROSSING DETAIL SHOWN IN THESE DRAWINGS.

ANY DISCHARGE FROM OPERATIONS REQUIRED DURING NEW CHANNEL CONSTRUCTION SHALL BE ROUTED THROUGH SEDIMENTATION BASINS (SEE DETAIL 16-15.1C) BEFORE ALLOWING IT TO ENTER/REENTER THE STREAM.

SEE NOTIFICATION DETAILS FOR PLANTING DETAILS.

## APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION  
CHANNEL CHANGES DUE TO  
LONGITUDINAL STREAM ENCROACHMENT

U.S. 321 (S.R. 73)  
PROJECT NO. 78013-1224-04  
FROM GLADES ROAD TO BUCKHORN RD.

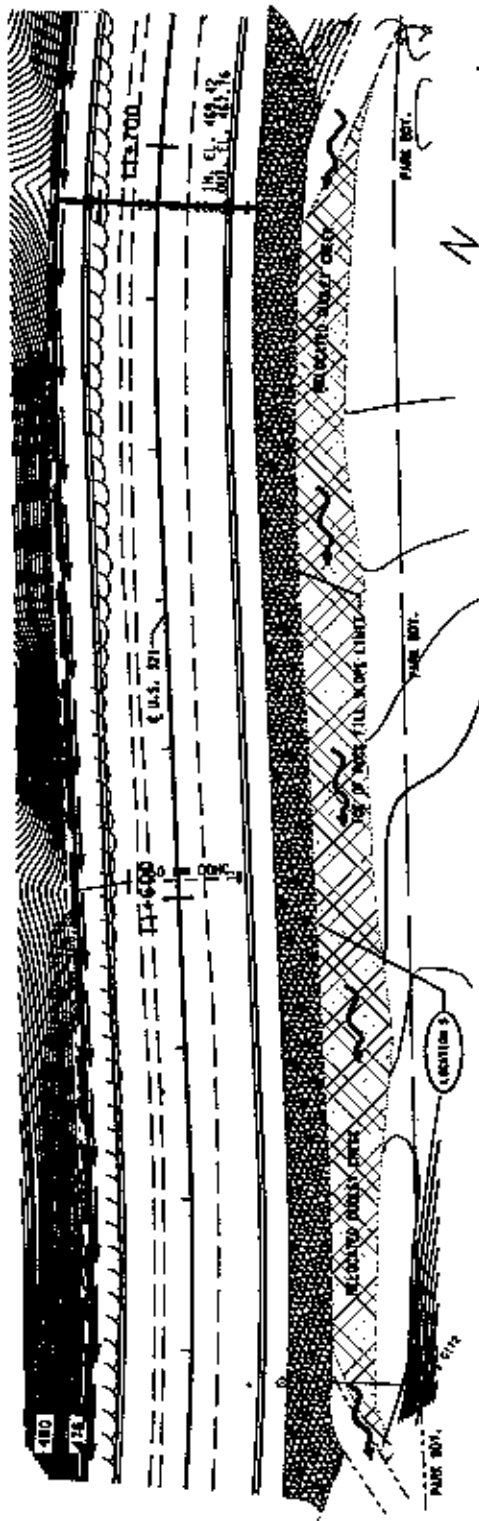
GATLINBURG / PITTMAN CENTER

Tract 18-Maples Brothers Homebuilders  
228 Cartertown Road  
Gatlinburg, TN 37738

## SITE B

## Permit Sketch

## LOCATION 5



PLAN VIEW - LOCATION 5

SCALE: 1" = 1000'  
0 10 20 30 (FEET)

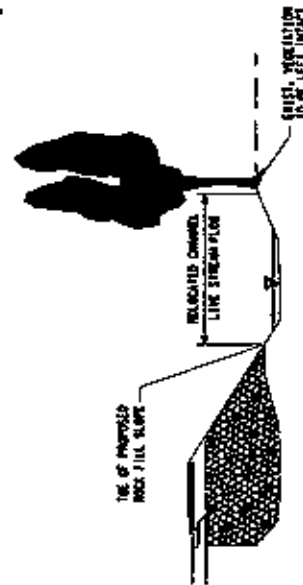
## LEGEND

APPROXIMATE LOCATION OF RELOCATED CHANNEL

STREAM FLOOR

TEMPORARY DIVERSION BEAM

ROCK FILL

TYPICAL CROSS SECTION  
DURING ROADWAY CONSTRUCTION

(IN 1:1)

ADJACENT PROPERTY OWNER	TRACT NO.	ADDRESS
NATIONAL PARK SERVICE		107 PARK HEADQUARTERS RD., GATLINBURG, TN 37738

DATE: 10/25/00

REVISED: N/A

## APPLICATION BY:

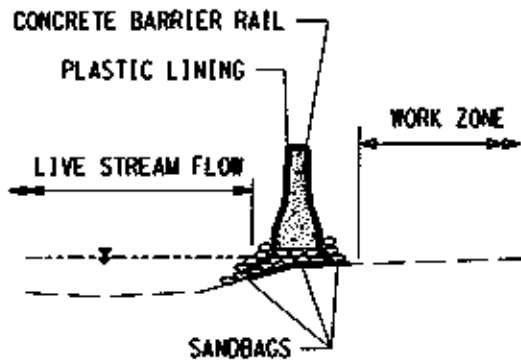
TENNESSEE DEPARTMENT OF TRANSPORTATION  
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PROJECT NO. 78013-1224-04  
FROM GLADES ROAD TO BUCKHORN RD.

GATLINBURG / PITTMAN CENTER

SHEET 2 OF 2

# Permit Sketch

## MISCELLANEOUS DETAILS

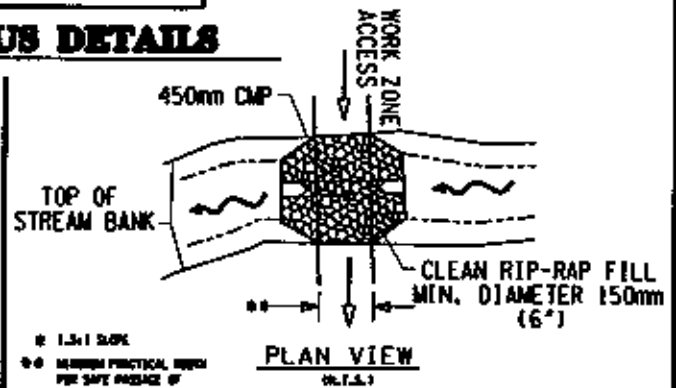


TEMPORARY DIVERSION BERM DETAIL  
FOR USE AT LOCATIONS 1,2,3,4 & 5

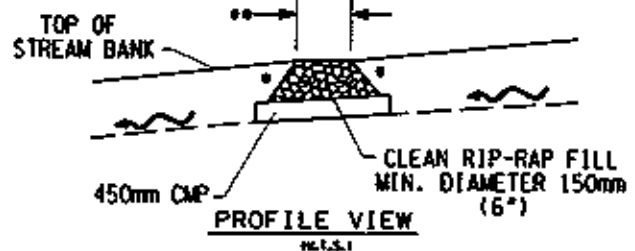
(M.T.S.)

### NOTES:

1. ANCHOR PLASTIC LINING IN PLACE ALONG THE CONCRETE BARRIER USING SANDBAGS. LAP TRANSVERSE JOINTS A MINIMUM OF 600mm (24 INCHES) IN THE DIRECTION OF FLOW. DO NOT USE LONGITUDINAL JOINTS.
2. PUMP FLOW BEHIND TEMPORARY DIVERSION BERM AS REQUIRED TO MAINTAIN SUITABLE NORMAL FLOW AREA.
3. BARRIER MUST PROVIDE A STANDING WATER OR DRY CONDITION BEFORE WORK. ESPECIALLY THE POURING OF CONCRETE MAY TAKE PLACE.



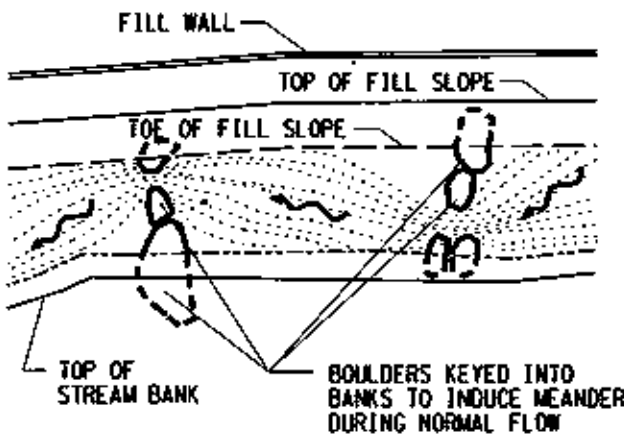
- \* 1.5:1 SLOPE
- \*\* MINIMUM PRACTICAL WIDTH FOR SAFE PASSAGE OF EQUIPMENT



### NOTES:

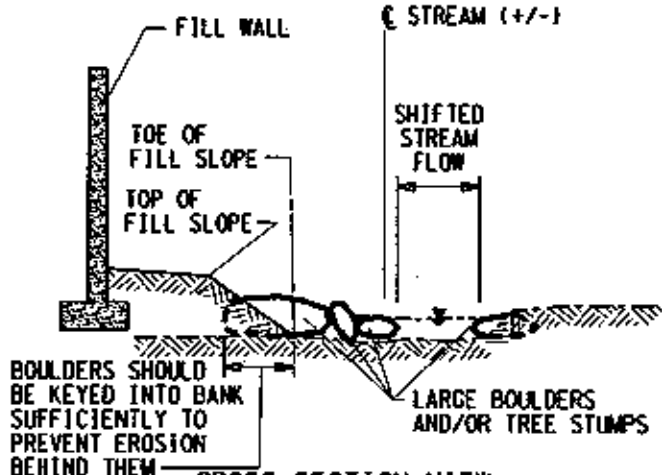
IF CROSSING THE LIVE STREAM WITH EQUIPMENT IS REQUIRED DURING NEW CHANNEL CONSTRUCTION, THE CROSSING SHALL BE LOCATED AT A POINT IN THE EXISTING CREEK WHERE THE EXISTING BANK AND STREAMBED ARE STABLE. EACH CROSSING SITE SHALL BE APPROVED BY DDC PRIOR TO BEGINNING CONSTRUCTION OF THE CROSSING. FILL MATERIAL USED IN THE CROSSING SHALL CONSIST ENTIRELY OF CLEAN RIP-RAP WITH A MINIMUM DIMENSION OF 50mm (2 INCHES). THE NUMBER OF CROSSINGS SHALL BE MINIMIZED AND ALL MATERIALS USED IN THEIR CONSTRUCTION SHALL BE EXPLICITLY REMOVED FROM THE STREAM WHEN THE CROSSINGS ARE NO LONGER REQUIRED.

TEMPORARY STREAM CROSSING DETAIL



PLAN VIEW  
MEANDER CONSTRUCTION DETAIL  
USE AT ALL CHANNEL RELOCATIONS

(M.T.S.)



CROSS SECTION VIEW  
MEANDER CONSTRUCTION DETAIL  
USE AT ALL CHANNEL RELOCATIONS

(M.T.S.)

### APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION

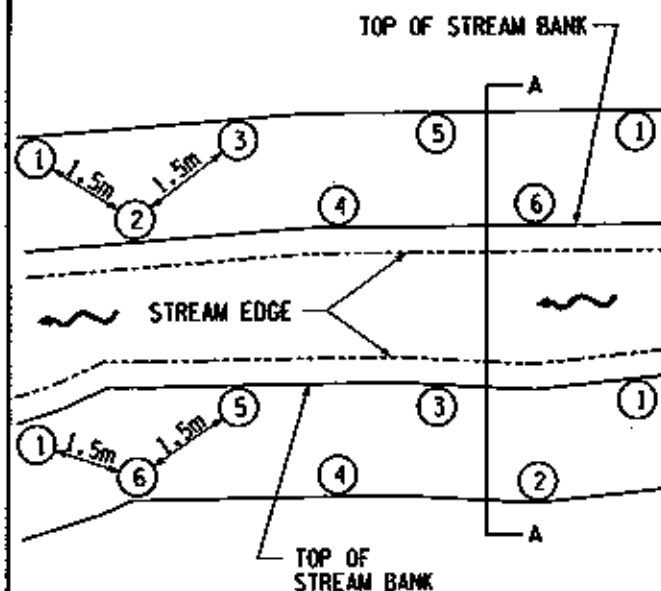
CHANNEL CHANGES DUE TO  
LONGITUDINAL STREAM ENCROACHMENT

U.S. 321 (S.R. 73)

GATLINBURG / PITTMAN CENTER

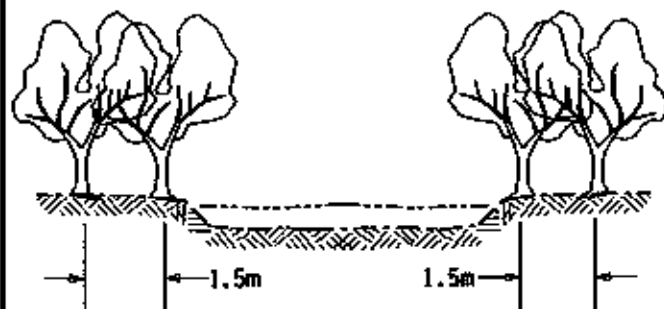
# Permit Sketch

## MITIGATION DETAILS



PLAN VIEW  
MITIGATION DETAIL  
USE AT ALL CHANNEL RELOCATIONS

06.1.5.1



SECTION A-A  
MITIGATION DETAIL  
USE AT ALL CHANNEL RELOCATIONS

06.1.5.1

The subject project will require channel changes at the following locations:

1. Sta. 10+300 to Sta. 10+349 Rt. @ U.S. 321 - (49m)
2. Sta. 10+546 to Sta. 10+583 Rt. @ U.S. 321 - (37m)
3. Sta. 10+636 to Sta. 10+665 Rt. @ U.S. 321 - (29m)
4. Sta. 10+692 to Sta. 10+726 Rt. @ U.S. 321 - (34m)
5. Sta. 11+526 to Sta. 11+717 Rt. @ U.S. 321 - (191m)
6. Sta. 13+460 to Sta. 13+520 Rt. @ U.S. 321 - (60m)
7. Sta. 13+758 Rt. @ U.S. 321 - (5m)
- Sta. 10+003 to Sta. 10+016 Rt. @ Will Cole Hollow Rd. - (13m)

The area surrounding these locations is mostly wooded, but some canopy will likely be removed during construction of the new channel sections. To mitigate for the loss of canopy, the following tree species are recommended for planting in the available space along the new channels:

1. Red Maple - *Acer rubrum*
2. Sycamore - *Platanus occidentalis*
3. Sweetgum - *Liquidambar styraciflua*
4. Eastern hemlock - *Tsuga canadensis*
5. Witch hazel - *Hamamelis virginiana*
6. Hazel alder - *Alnus serrulata*

These trees are to be bare-root specimens, 0.6m - 1.0m in height. Trees are to be planted in the disturbed areas along each bank of the new channels as space allows. Trees are to be planted in an alternating pattern on approximately 1.5m centers. The roots of these trees are to be kept moist until the time they are planted at the specified locations.

No cultivars of these species will be accepted. No substitutions for any of the specified tree species will be accepted without written permission from the Environmental Planning and Permits Division.

### APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION

MITIGATION DETAILS FOR  
LONGITUDINAL STREAM ENCROACHMENT

U.S. 321 (S.R. 73)

GATLINBURG / PITTMAN CENTER